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FAX COVER SHEET

FAX NUMBER TRANSMITTED TO: (703) 308-7952

To: Board of Patent Appeals and Interferences
Of: USPTO
Telephone: (703) 308-9797
From: Howard Eisenberg
BPAI Docket No. 2003-1766
Application: 09/614,790
Client/Matter: HME/7982.0001
Date: January 30, 2004

NO. 2, 100
APPEALS &
INTERFERENCES
JAN 30 2004

DOCUMENTS	NUMBER OF PAGES*
Request for Continued Examination	One

Board of Patent Appeals and Interferences,

I am submitting by fax a copy of the Request for Continued Examination that was filed today in the US Patent Office. This application is currently scheduled for an oral hearing before the Board on February 5, 2004. In view of the filing of the RCE, please remove the oral hearing from the docket of the Board and return the examination of the application to the Examiner.

Please send a reply facsimile to 215-701-0803 to verify that you have received this fax. Thank you.

Howard Eisenberg



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Request FOR Continued Examination (RCE) TRANSMITTAL Address to: Commissioner for Patents Mail Stop RCE P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/614,790
	Filing Date	July 12, 2000
	First Named Inventor	Sharon F Kleyne
	Art Unit	1619
	Examiner Name	Michael Willis
	Attorney Docket No.	HME/7982.0001

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.


1. Submission required under 37 CFR. 1.114 BPAI DOCKET NO. 2003-1766
- a. ☒ Previously submitted
- i. ☐ Consider the amendment(s) / reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered)
- ii. ☒ Consider the arguments in the Appeal Brief or Reply Brief previously filed on 9/24/02 & 1/13/03
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☒ Affidavits(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____
2. Miscellaneous
- a. ☐ Suspension of action on the above identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(h) required)
- b. ☐ Other _____
3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 50-1773
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$385.00 enclosed.
- c. ☐ Payment by credit card. (Form PTO-2038 enclosed.)
- WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	Howard Eisenberg, Esq	Registration No.	36,789
Signature		Date	January 30, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commission for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Howard Eisenberg
Signature	
Date	January 30, 2004